

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

2006 MAR -7 A 9:54  
MURs 5607 and 5687Socas for Congress and Andrew T. O'Dell )  
in his official capacity as Treasurer; and )  
James R. Socas )**SENSITIVE**

## GENERAL COUNSEL'S REPORT # 2

I. ACTIONS RECOMMENDED:

Accept the attached conciliation agreement with Socas for Congress and Andrew T. O'Dell, in his official capacity as Treasurer, ("the Committee") and James R. Socas (collectively, "the Respondents") and close the file.

II. DISCUSSION

On November 15, 2005, the Commission found reason to believe that Socas for Congress and Andrew T. O'Dell, in his official capacity as Treasurer, violated 2 U.S.C. §§ 441a-1(b)(1)(C), 441a-1(b)(1)(D) and 434(b)(3)(E) and 11 C.F.R. §§ 400.21b, 400.22(b) and 104.3(d) and that James R. Socas violated 2 U.S.C. §§ 441a-1(b)(1)(C) and 441a-1(b)(1)(D) and 11 C.F.R. § 400.25.<sup>1</sup>

<sup>1</sup> Respondents failed to timely file two Form 10 notifications with the Commission and their General Election opponent after initially expending \$497,000 in personal funds and subsequently expending an additional \$24,752 in personal funds. These expenditures of personal funds had the potential to trigger higher contribution limits under the "millionaire's amendment" provision of BCRA. Respondents also failed to report the source of a loan of \$43,000 and failed to file Schedule Cs for two other loans totaling \$174,752.

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III. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Socas for Congress and Andrew T. O'Dell, in his official capacity as Treasurer, and James R. Socas.
2. Close the file.
3. Approve the appropriate letter.

Lawrence H. Norton  
General Counsel

Lawrence L. Calvert  
Deputy Associate General Counsel  
for Enforcement

BY:

Mark D. Shonkwiler  
Assistant General Counsel

Lynn Y. Tran  
Attorney

Attachment

1. Conciliation Agreement